

Remarks/Arguments:

Claims 1-17 are pending. Claims 1, 3-8, 10, 11, 13, 14, 16 and 17 stand rejected. Claims 2, 9, 12 and 15 are objected to. Applicant acknowledges with appreciation the indication that claims 2, 9, 12 and 15 would be allowable if rewritten in independent form. Applicant has rewritten claim 2 into independent form, thus rendering this claim allowable. Additionally, because claims 9, 12 and 15 ultimately depend on claim 2, these claims are likewise allowable.

The drawings were objected to for not showing "a pot with at least one handle" recited in claims 7 and 15-17. Applicant has deleted these feature from claims 7 and 15-17. Applicant respectfully requests, therefore, that this objection be withdrawn.

Rejections Under 35 U.S.C. 102

The Office Action at page 3, paragraph 5, sets forth "Claims 1, 3-8, 10-11, 13-14 and 16-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Aoki et al (JP06-215862)." Applicant respectfully traverses this rejection for the reasons set forth below.

Applicant's invention, as recited in claim 1, includes features not disclosed nor suggested by Aoki, namely:

...a container made from a first material, that has integrated on the outer face of its bottom wall a heat distributing or diffusing plate made from a second, different, heat conducting material, the outer surface of the bottom wall of the container having a series of spaced projections and said heat distributing plate comprises a disc made from a ferromagnetic material provided with a number of perforations equivalent to the number of projections or lugs and appropriately distributed to allow the engagement of said disc, backed onto said bottom wall, by inserting the lugs through the perforations, leaving the disc attached to the bottom wall by riveting said projections.
(Emphasis Added)

These features are described in Applicant's specification, for example, at page 4, line 23 through page 5, line 9.

Aoki is relied upon as disclosing "inserting the lugs through the perforations (15-17), leaving the disc attached to the bottom wall by riveting said projections." Applicant respectfully disagrees. There is absolutely no disclosure or suggestion of riveting the components to one

another. In fact, according to the translation of the Aoki reference provided by the Office, the magnetic metal plate 14 is attached to the pan body as the pan body is molded thereby allowing the aluminum alloy from which the pan body is formed to flow into pores in the magnetic metal plate. See paragraph [0022], for example. Additionally, the Aoki reference requires that the "aluminum alloy may not flow into the outside surface of the magnetic metal plate 34." See paragraph [0030]. This statement in Aoki is inconsistent with riveting.

In contrast, applicant's invention as recited in claim 1, requires that the projections or lugs protruding from the outer surface of the bottom wall of the container are inserted through the perforations in the diffusing plate and the plate and container are attached to one another by riveting the projections.

It is because applicant has included the features of riveting projections extending from the container and through holes in the bottom plate, that applicant is able to produce a cooking utensil simply and with significant cost savings. Aoki fails to achieve this advantage because Aoki requires that an expensive die casting process be used to create the utensil and form the bond between the container and bottom plate.

Because Aoki fails to disclose each and every feature of applicant's claimed invention, the rejection of claim 1 as being anticipated by JP 06-215862 is improper, should be withdrawn and the claim allowed.

Claims 3-8, 10-11, 13-14 and 16-17 ultimately depend on claim 1 and, thus, are likewise not subject to rejection for at least the reasons set forth above with respect to claim 1.

Applicant has added claims 18-20 directed to a method of forming a cooking utensil. This claim is similar to claim 1 and is allowable for at least the reasons set forth above with respect to claim 1. No new matter is added. Applicant respectfully requests that claims 18-20 be entered and examined.

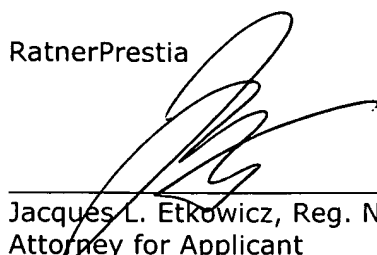
Appln. No.: 10/527,658
Amendment Dated February 9, 2007
Reply to Office Action of August 22, 2006

TJA-113US

In view of the amendments and remarks set forth above, applicant submits that the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,

RatnerPrestia



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JLE/kpc

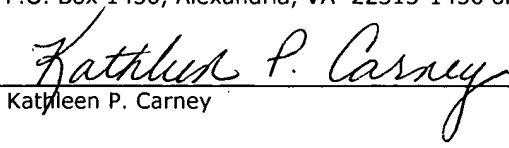
Attachment: Abstract

Dated: February 9, 2007

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The Director is hereby authorized to charge or credit Deposit Account No. **18-0350** for any additional fees, or any underpayment or credit for overpayment in connection herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 9, 2007.



Kathleen P. Carney